

by the patient's physician. In this case, plaintiff has alleged circumstances that may take this case beyond the simple application of the general rule. These allegations include an alleged decision on the part of the pharmacist to provide a generic drug whose warning allegedly did not conform to the warnings of the branded drug ordered by the physician.

Accordingly, the Court GRANTS plaintiff's Motion to Remand. The Court ORDERS this case remanded to the 229th District Court of Duval County, Texas pursuant to 28 U.S.C. § 1447(c) and (d).

ORDERED this 7th day of December, 2007.

A handwritten signature in black ink that reads "Hayden Head". The signature is written in a cursive style with a horizontal line underneath the name.

HAYDEN HEAD
CHIEF JUDGE